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June 30, 2009

VIA FAX AND E-FILE

Hon. Peter G. Sheridan
United States District Court for the District of New Jersey
Clarkson S. Fisher Federal Building and U.S. Courthouse
402 E. State Street, Room 2020
Trenton, NJ 08608

RE: **Heffernan v. City of Paterson, et al.**
Docket No.: 06-3882

Dear Judge Sheridan,

It was my understanding that the oral argument scheduled for Monday, July 13, 2009, would be regarding Plaintiff's Motion for Attorney's Fees. The Order setting the schedule for argument does not specify which Motions are to be argued. Further, after filing the Post Trial Motion for a New Trial, I was expecting a briefing schedule to be issued.

I learned today that both the Motion for Attorney's Fees and the Motion for a new Trial are to be argued on July 13. Accordingly, I am requesting permission to file a reply brief in support of Plaintiff's Motion for a New Trial, no later than Tuesday, July 7, 2009. I have contacted counsel for Defendants, Victor A. Afanador, and Albert Lisbona, via e-mail and telephone and have not received a response from them as of this afternoon.

Sincerely,


MARK B. FROST, ESQUIRE

cc: Albert C. Lisbona
Victor A. Afanador

7/1/09
No Order
Peter H. H. H.